

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JONATHAN DWAYNE RUFFIN,

Plaintiff,

v.

PIERCE COUNTY COUNCIL, *et al.*,

Defendants.

Case No. C23-6044-KKE-MLP

ORDER TO SHOW CAUSE

Plaintiff Jonathan Ruffin is currently confined at the Pierce County Jail in Tacoma, Washington. He has submitted to the Court for filing a proposed civil rights complaint under 42 U.S.C. § 1983, together with an application to proceed with this action *in forma pauperis* (“IFP”). (*See* dkt. ## 1, 1-1.) Plaintiff alleges in his complaint violations of his constitutional rights relating to plumbing and sewer conditions in various housing units at the Pierce County Jail, which include sewage backups in the toilets and ongoing serious sanitation issues. (*See* dkt. #1-1.) Plaintiff identifies the following Defendants in his complaint: the Pierce County Council; Naphcare, the medical provider for the Pierce County Jail; Patti Jackson, Pierce County Chief of Corrections; and Pierce County Corrections Officers Desmond and Smith. (*See id.* at 3, 12.) Plaintiff seeks declaratory and injunctive relief, and damages. (*See id.* at 13-14.)

ORDER TO SHOW CAUSE - 1

1 A review of this Courts records reveals that the claims asserted by Plaintiff in the instant
2 action are substantially similar to those asserted by Plaintiff in a separate pending action which is
3 proceeding under cause number C23-5541-TSZ-SKV. It appears that this Court's interest in
4 judicial economy would be best served by requiring Plaintiff to pursue all claims relating to
5 plumbing and sewage issues at the Pierce County Jail in a single action.

6 Accordingly, the Court hereby ORDERS as follows:

7 (1) Plaintiff shall show cause not later than **December 29, 2023**, why the instant
8 complaint and action should not be dismissed as duplicative of the action proceeding under cause
9 number C23-5541-TSZ-SKV. Plaintiff is advised that his failure to timely respond to this Order
10 will result in a recommendation that this action be dismissed for failure to prosecute.

11 (2) Plaintiff's application to proceed IFP (dkt. # 1) is STRICKEN from the Court's
12 calendar pending receipt of Plaintiff's response to this Order.

13 (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Honorable
14 Kymberly K. Evanson. The Clerk is further directed to note this matter for the Court's
15 consideration of Plaintiff's response to the Order to Show Cause on **December 29, 2023**.

16 DATED this 5th day of December, 2023.

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19 MICHELLE L. PETERSON
20 United States Magistrate Judge
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